TUITION, PROGRESSION AND EXCLUSION RULES

TUITION/ENROLMENT RULE

Rule 60 of the Legal Profession Admission Rules provides that a student who wishes to take any examination under the Rules must enrol for the corresponding course of instruction conducted by the Law Extension Committee in the session immediately preceding the examination.

Relaxation of tuition rule

The Examinations Committee of the Legal Profession Admission Board may relax the tuition rule. An application for relaxation of this rule must be made to the Examinations Committee in writing and must be accompanied by a statutory declaration substantiating the matters set out in the application.

A student may apply to be exempt from tuition in a subject in a given session. If the application is successful the student may enrol for the examination in that subject without enrolling for tuition. The application must be in statutory declaration form accompanied by any relevant documentation such as a medical certificate. The application must show that in the immediately preceeding session the student:
- had completed tuition in the subject to the satisfaction of the Law Extension Committee;
- had prepared appropriately to sit for the examination; and
- was prevented from sitting for the examination by serious illness or misadventure close to the time of the examination.

Exemption from tuition will not be granted to a student who sat and failed the examination, and can only be approved for the session immediately following the one in which the misadventure occurred.

An application in relation to the Winter 2009 Session must be accompanied by the prescribed fee of $60.00 and, subject to what appears below in relation to late applications, must be forwarded so as to reach the Board’s office by 1 May 2009.

An application for enrolment must not be lodged until you have received the Board’s decision on your application for a relaxation of the tuition rule. You will get extra time to lodge your enrolment application if necessary. The Law Extension Committee has agreed that if you wish to study another subject you may attend lectures in that subject while you await the Board’s decision.

PROGRESSION RULES

Rules 59(1) and 59(2) of the Legal Profession Admission Rules provide that a student must present himself or herself for examination in the subjects appearing on the curriculum in sequential order until he or she has passed or been exempted from 11 subjects. The student may then take the remaining subjects in any order.

Rule 59(3) provides that a Student-at-Law must not, at any one sitting, enrol and sit for examination in more than two subjects until that Student-at-Law has passed or been exempted from eight compulsory subjects, after which that Student-at-Law may not, at any one sitting, enrol and sit for more than three subjects.

It is not practicable to arrange the lecture and examination timetable in such a way as to accommodate every combination of subjects a student might wish to take by lectures in a particular session. Timetable clashes may arise in particular where a student includes in his or her program of study one or more of the subjects appearing in Group B. A student can minimise the risk of timetable clashes involving subjects in Group B by including subjects from that group in his or her program of study at the earliest opportunity.

Please note a maximum of two exams may be sat in one day.

Relaxation of progression rules

The Examinations Committee may relax the progression rules. An application for relaxation of these rules must be made to the Examinations Committee in writing and must be accompanied by a statutory declaration substantiating the matters set out in the application. The rules will be relaxed only when it is found that there is good and sufficient reason to justify the change sought.

A student who wishes to enrol in subjects out of order must specify which subjects and the reasons why he or she desires to take the subjects in an alternative order.

You should also be aware that knowledge of one or more subjects is often a prerequisite to study others.

A student who wishes to enrol in more than two subjects before having completed a total of 8 compulsory subjects must set out the reasons why he or she wishes to attempt additional subjects and
the basis upon which he or she considers that the
proposed workload is not excessive.

An application in relation to the Winter 2009 Session
must be accompanied by the prescribed fee of $60.00
and, subject to what appears below in relation to late
applications, must be forwarded so as to reach the
Board’s office by 1 May 2009.

Please note if you are applying for relaxation of Rules
59(1) and 59(3), separate applications, with a $60
fee for each, are required. The separate applications
may be submitted at the same time. Decisions made
in response to these applications are valid for one
specified session only.

An application for enrolment must not be lodged
until you have received the Board’s decision on your
application for relaxation of the progression rules.
However, you may attend lectures while awaiting the
Board’s decision. You will get extra time to lodge your
enrolment application if necessary.

EXCLUSION RULES

Rule 64 of the Legal Profession Admission Rules
provides that any candidate who, without prior
leave of the Examinations Committee, fails to sit
for examination in at least two subjects in any two
successive sessions shall be excluded from taking any
further examination.

Rule 66 provides that a candidate who fails any
subject a second time shall be excluded from taking
any further examination.

Relaxation of exclusion rules

Rule 67 of the Legal Profession Admission Rules
provides that the Examinations Committee may in
special circumstances relax the exclusion rule upon
such conditions as it considers appropriate. An
application for relaxation of the exclusion rules must
be made to the Committee in writing and must be
accompanied by a statutory declaration substantiating
the matters set out in the application. An application
must clearly explain why the student has not made
sufficient progress in the course, or must clearly
explain why the student has had difficulty with the
subject which has been repeatedly failed and why the
student believes that he or she is likely to be successful
in the examination in that subject at a further sitting.
In every case an application must set out the reasons
why the student should be re-admitted to the course.
It is desirable that the application also indicate
whether the student wishes to take one subject or
more than one subject if permitted to re-enrol.

In considering an application under Rule 67, the
Examination Committee and its Performance Review
Sub-Committee take account of the whole academic
record of the Student-at-Law concerned, the
distinctions, merits, passes, failures, did-not-sits and
previous Rule 67 applications. They decide whether it
is appropriate to impose conditions on re-enrolment.
As a condition of re-enrolment, they could require a
Student-at-Law: to sit only one subject in a specified
session; to sit and pass two subjects in a specified
session; or to re-sit some or all of their previously
passed subjects. A Rule 67 decision could require
a Student-at-Law to repeat one or more previously
passed subjects if it is deemed that the learning in
such subjects is “stale” owing to changes to the Law
or simply the passing of time. Students-at-Law make
themselves vulnerable to the imposition of such
conditions whenever they breach Rule 64 or 66.

Although there is no current time limit to complete
the course this is under consideration by the Board.
It is often not necessary to await the publication
of results before making an application under Rule
67. A Student-at-Law who expects to be excluded
should make the application as soon as he/she has
clear objectives for the following session. An early
application has a greater chance of being processed
quickly. An application in relation to the Winter 2009
Session must be accompanied by the prescribed fee
of $60.00 and, subject to what appears below in
relation to late applications, must be forwarded so as
to reach the Board’s office by 1 May 2009. Students
should note that at busy times such applications may
take several weeks to process.

An application for enrolment must not be lodged
until you have received the Board’s decision on your
relaxation of exclusion rules application. You will get
extra time to lodge your enrolment application if
necessary.

LATE APPLICATIONS

An application for relaxation of the tuition, progression
or exclusion rules which reaches the Board’s office
later than Friday 1 May 2009 but not later than
Friday 8 May 2009 will be processed in relation to
the Winter 2009 Session, but only upon payment of a
late fee of $60.00 in addition to the prescribed fee of
$60.00. Applications received later than Friday 8 May
2009 will not be processed in relation to the Winter
2009 Session.